

103 03 229.0
402604
012604
U.S. PTO
10764676
U.S. PTO
10764676
012604

please type plus sign inside this box + PTO/SB/05 (06/03) Approved for use through 07/31/2003 OMB 0651-0032 +

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

Only for new nonprovisional applications under 37 1.53(b)

Attorney Docket No. 13183.0024
First Inventor Peter Rohnert et al.
Title Drug Preparation Comprising.....
Express Mail Label No. ER 635563900 US

APPLICATION ELEMENTS
See MPEP chapter 600 concerning utility patent application contents

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See CFR 1.27.
3. ☒ Specification [Total Pages 31 / 1]
(preferred arrangement set forth below)
- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R&D
- Reference to sequence listing, a table, or
a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets 3 / 1]
5. ☐ Oath or Declaration [Total Pages 1 / 1]
a. ☐ Newly executed (original or copy)
b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named
in the prior application, see 37 CFR 1.63(d)(2) and
1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. ☐ Computer Readable Form (CRF)
b. ☐ Specification Sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies); or
ii. ☐ Paper
c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449
Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent
17. ☒ Other: Check for \$1202

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of the prior application No: /
Prior application information: Examiner: /
Group/Art Unit: /
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.
The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number: 26712 OR ☐ Correspondence address below

NAME Martin G. Linihan
Hodgson Russ LLP
ADDRESS One M&T Plaza, Suite 2000
CITY Buffalo STATE New York ZIP CODE 14203-2391
COUNTRY United States of America TELEPHONE (716) 856-4000 FAX (716) 849-0349
Name (Print/Type) Martin G. Linihan Registration No. (Attorney/Agent) 24,926
Signature [Signature] Date January 26, 2004

"Express Mail" Mailing Label Number ER 635563900 US
I hereby Certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.
[Signature]
Name Signature 891555

**FEE TRANSMITTAL
for FY 2004**

Effective 01/01/2003. Patent Fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT

(\$1202.00)

Application Number

Filing Date

January 26, 2004

First Named Inventor

Peter Rohnert et al.

Examiner Name

Group/Art Unit

Attorney Docket Number

13183.0024

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☐ Deposit Account: Deposit Account Number: 08-2442

Deposit Account Name: Hodgson Russ LLP

The Director is hereby authorized to (check all that apply)

☐ Charge fee(s) indicated below☒ Charge any fee deficiencies or credit any overpayments☐ Charge any additional fees during pendency of this application.☐ Charge fees indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION (continued)

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee Fee Description Fee Paid

1001 770 2001 385 Utility filing fee \$770

1002 340 2002 170 Design filing fee \$

1003 530 2003 265 Plant filing fee \$

1004 770 2004 385 Reissue filing fee \$

1005 160 2005 80 Provisional filing fee \$

SUBTOTAL (1)

\$770

2. EXTRA CLAIM FEES FOR UTILITY/ REISSUE

Extra Fee from
Claims below
Total Claims /44 / - 20** = /24 / x /18 / = \$432

Independent Claims / / - 3** = / / x / / = \$

Multiple dependent / / x / / = \$

Large Entity Small Entity

Fee Fee Fee Fee Fee Description Fee Paid

1202 18 2202 9 Claims in excess of 20 \$

1201 86 2201 43 Independent claims in excess of 3 \$

1203 290 2203 145 Multiple dependent claim if not paid \$

1204 86 2204 43 **Reissue independent claims over original patent \$

1205 18 2205 9 **Reissue claims in excess of 20 and over original patent \$

SUBTOTAL (2)

\$432

SUBMITTED BY:

Martin G. Linihan

Reg. No 24,926

SIGNATURE

DATE: January 26, 2004

Telephone: (716) 848-1367

3. ADDITIONAL FEES

Large Entity

Small Entity

Fee Code Fee (\$) Fee Code Fee (\$) Fee Description Fee Paid

1051 130 2051 65 Surcharge - late filing fee or oath \$

1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet \$

1053 130 1053 130 Non-English specification \$

1812 2,520 1812 2,520 For filing a request for *ex parte* reexamination \$

1804 920* 1804 920* Requesting Publication of SIR prior to Examiner Action \$

1805 1,840* 1805 1,840* Requesting Publication of SIR after Examiner Action \$

1251 110 2251 55 Extension for reply within first month \$

1252 420 2252 210 Extension for reply within second month \$

1253 950 2253 475 Extension for reply within third month \$

1254 1,480 2254 740 Extension for reply within fourth month \$

1255 2,010 2255 1,005 Extension for reply within fifth month \$

1401 330 2401 165 Notice of Appeal \$

1402 330 2402 165 Filing a brief in support of an appeal \$

1403 290 2403 145 Request for oral hearing \$

1451 1,510 1451 1,510 Petition to institute a public use proceeding \$

1452 110 2452 55 Petition to revive - unavoidable \$

1453 1,330 2453 665 Petition to revive - unintentional \$

1501 1,330 2501 665 10 advance copies
Utility issue fee (or reissue) \$

1502 480 2502 240 Design issue fee \$

1503 640 2503 320 Plant issue fee \$

1460 130 1460 130 Petitions to the Commissioner \$

1807 50 1807 50 Processing fee under 37 CFR 1.17(q) \$

1806 180 1806 180 Submission of Information Disclosure Statement \$

8021 40 8021 40 Recording each patent assignment per property (times
number of properties) \$

1809 770 2809 385 Filing a submission after final rejection(37 CFR 1.129(a)) \$

1810 770 2810 385 For each add'l invention to be examined(37 CFR 1.129(b)) \$

1801 770 2801 385 Request For Continued Examination (RCE) \$

1802 900 1802 900 Request for Expedited Examination of a design application \$

Other fee (specify) \$

*Reduced by basic filing fee paid

SUBTOTAL (3)

\$0

Express Mail Mailing Label Number ER 635563900 US

Date of Deposit January 26, 2004

I hereby Certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 14507 Alexandria, Virginia 22313-1450

Martin G. Linihan

Name

Signature

January 26, 2004

Date of Signature

891518